



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF AN APPLICATION**

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Masahiko TANAKA, et al.
Serial No: 10/775,161
Filed: February 11, 2004
For: OPTICAL DISK AND OPTICAL DISK APPARATUS

SIR:

Attached hereto for filing are the following papers:

Notice to File Missing Parts
Filing of Declaration/Declaration

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

Docket No. 248794US2S

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Paul Sacher
Registration No. 43,418

Docket No. 248794US2S



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Masahiko TANAKA, et al.

SERIAL NUMBER: 10/775,161

ATTN: APPLICATION BRANCH

FILING DATE: February 11, 2004

FOR: OPTICAL DISK AND OPTICAL DISK APPARATUS

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated August 11, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Eckhard H. Kuesters

Registration No.: 28,870

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Paul Sacher
Registration No. 43,418

JFW


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 OCT 12 2004
 UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/775,161 | 02/11/2004 | Masahiko Tanaka | 248794US2S |

CONFIRMATION NO. 1184

 22850
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

FORMALITIES LETTER



OC000000013503186

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE